IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT

JODHPUR.

O R D E R

Ved Bajaj. Versus State of Rajasthan.

S.B. Criminal Revision Petition No. 320/2006 against the order dated 25-2-2006 passed by the Judicial Magistrate No.7, Jodhpur, in F.R. No.88/2004, C.R. No.182/2004, Police Station, Sardarpura, Jodhpur.

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Date of Order: May 22, 2006

PRESENT

HON'BLE MR. JUSTICE H.R. PANWAR

None present for the petitioner.
Mr. JPS Chaudhary, Public Prosecutor for the State.

BY THE COURT:

No one appears for the petitioner.

Perused the order impugned dated 25-2-2006 passed by the Judicial Magistrate No.7, Jodhpur (for short, "the trial Court" hereinafter) in F.R. No. 88/2004, whereby the trial Court accepted the negative final report submitted by the petitioner.

On the report lodged by the petitioner, the matter was thoroughly investigated by the police and the police came to

the conclusion that prima facie no offences under Sections 420, 406 and 120-B IPC are made out from the material on record. A protest petition was filed by the petitioner and the petitoiner himself appeared as PW 1 and produced his wife Anita Bajaj as PW 2.

The case as set up by the petitioner is that by paying a sum of Rs.500/- in cash andRs.3600/- by cheques to the non-petitioners, he became a member of the Club of the non-petitioners. The terms and conditions of the Membership were that the Club will provide them facilities of Five Stars Hotel and if any of the member does not wish to avail the said facilities, he will be paid a sum of Rs.4200/- per year. Neither during investigation nor in support of the protest petition, petitioner produced any document showing such conditions for becoming member of the Club. Even during recording the statement before the Court, the petitioner failed to produce any documentary evidence or any evidence to the effect that the respondents agreed to provide the facilities of Five Stars Hotel or if such facilities are not availed of, they will be paid a sum of Rs.4200/- per year.

The trial Court accepted the negative Final Report and dismissed the protest petition. On close scrutiny of the order impugned, I find that the order impugned does not suffer from any error, illegality or perversity warranting interference by

this Court under revisional jurisdiction.

The revision petition is accordingly dismissed.

(H.R. PANWAR), J.

Anil/mcs